

**BYLAW 17-013
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH CERTAIN ELECTION PROCEDURES IN LAC LA BICHE COUNTY.

WHEREAS, The *Local Authorities Election Act*, RSA 2000, Chapter L-21, as amended (the Act), provides for the holding of local elections by municipalities;

WHEREAS, a municipality may establish by bylaw election procedures in accordance with the Act that differ from those in force by default;

WHEREAS, under the authority and pursuant to section 180 of the *Municipal Government Act*, Chapter M 26, R.S.A 2000 and amendments thereto, where a Council is required or authorized to do something by resolution, it may be done by bylaw or resolution;

WHEREAS, pursuant to Section 13 of the Act, an elected authority may by resolution, appoint a returning officer for the purposes of conducting elections under this Act;

WHEREAS, pursuant to Section 29 of the Act, an elected authority may, by bylaw passed not fewer than 30 days before nomination day, require that every nomination be accompanied with a deposit in the amount fixed in the bylaw, in an amount in accordance with the Act;

WHEREAS, pursuant to Section 46 of the Act, an elected authority may, by a bylaw passed prior to June 30 of a year in which an election is to be held, provide that the voting station is to be open before 10 a.m.;

WHEREAS, pursuant to Section 73 of the Act, an elected authority may by resolution provide for holding an advance vote on any vote to be held in an election;

WHEREAS, pursuant of Section 77 of the Act, an elected authority may, by resolution passed prior to nomination day, provide for special ballots;

WHEREAS, pursuant to Section 80 of the Act, an elected authority may, by resolution or the returning officer, if authorized by resolution of the elected authority, may designate the location of one or more institutional voting stations for an election in addition to voting stations designated under section 37;

WHEREAS, pursuant to Section 160(2) of the Act, on the application of an elected authority, the relevant Minister may, by order, on any terms and conditions the relevant Minister may prescribe, authorize the elected authority to pass a bylaw adopting the system for conducting an election prescribed by regulations under subsection (1) of Section 160 of the Act;

WHEREAS, pursuant to Section 160(1) of the Act, the Lieutenant Governor has established Alberta Regulation 5/2007 "Modified Voting Procedure Regulation";

WHEREAS, Council has received approval to pass a bylaw to adopt modified voting procedures in accordance with the Act;

WHEREAS, pursuant to Section 2 of Alberta Regulation 5/2007, an elected authority that has passed a bylaw in accordance with section 160(2) of the Act, Section 37 of the Act is modified to so that the returning officer of the elected authority may designate the location of a voting station and that the location of more than one voting station may be designated for each voting subdivision;

AND WHEREAS, pursuant to Section 3 of Alberta Regulation 5/2007, an elected authority that has passed a bylaw in accordance with section 160(2) of the Act, the statement required under Section 77 of the Act is Form 8 as prescribed in Schedule 1 to the *Local Authorities Election Forms Regulation* (AR 378/2003).

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other powers enabling it, the Council of Lac La Biche County, duly assembled, enacts as follows:

Part 1- PURPOSE, DEFINITION AND INTERPRETATION

Purpose

1. The purpose of this Bylaw is to establish election procedures in Accordance with the Act, which differ from those that are in force by default.

Short Title

2. This Bylaw may be cited as the "Consolidated Municipal Election Bylaw"

Definitions

3. Words used in this Bylaw have the same meaning as defined in the Act, with the following changes or additions;
 - a. "Act" means the *Local Authorities Election Act*, RSA 2000, c. L-21, together with any regulations made thereunder;
 - b. "Bylaw" shall mean Bylaw 17-013;
 - c. "Council" means Lac La Biche County Council; and
 - d. "County" means Lac La Biche County.

Interpretation

4. References in this Bylaw to a statute, regulation or other bylaw refer to the current laws at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
5. Headings and sub-headings in this Bylaw are included for convenience only, and shall not be considered in interpreting the substantive content of this Bylaw.

6. The preamble paragraphs that precede the numbered paragraphs of this Bylaw are an integral and necessary part of this Bylaw and not mere recital.
7. Every provision of this Bylaw is independent of all provisions and it is the intention of the Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

PART II- GENERAL VOTING RULES

8. This Bylaw applies to all municipal elections in the County.
9. The modified voting procedure prescribed in Alberta Regulation 5/2007 "Modified Voting Procedure Regulation" is adopted by the County and shall be used for the purpose of conducting elections pursuant to the provisions of the Act.
10. Unless stated in the Bylaw, voting rules will follow those established by default by the Act.

Returning Officer (Section 13 of the Act)

11. Council shall appoint, by resolution, a returning officer to conduct elections for the County.

Deposit (Section 29 of the Act)

12. Every nomination pursuant to the Act must be accompanied by a deposit in the amount of one hundred (\$100.00) dollars.
13. That deposit is to be provided in cash, debit, certified cheque or cash order or by money order.

Voting Hours (Section 46 of the Act)

14. Voting stations shall be opened at 9:00 am.

Advanced Vote (Section 73 of the Act)

15. There will be an advance vote for each election conducted under this Bylaw.

Special Ballot (Section 77 of the Act)

16. Elections conducted under this bylaw will provide for special ballots.
17. Special ballot applications can be made by any one of the following methods:
 - a. In writing;
 - b. By telecopier (fax);
 - c. In person; and
 - d. By email.

Institutional Voting (Section 80 of the Act)

18. Institutional voting shall be established for municipal elections.
19. The returning officer shall designate the locations, hours and procedures of the institutional voting stations.

Number of Voting Stations per Voting Subdivision (Section 160(2) of the Act, Section 2 of Alberta Regulation 5/2007)

20. The returning officer may designate the location of the voting station;
21. The location of more than one voting station may be designated for each voting subdivision.

Required Statement when Voting at an Advance Polling Station (Section 160(2) of the Act, Section 3 of Alberta Regulation 5/2007)

22. Subject to section 83(3) or (4) of the Act, every person applying to vote at an advance voting station, before being permitted to vote, shall be required by a deputy to make a statement using Form 8 as prescribed in Schedule 1 to the *Local Authorities Election Form Regulation*.
23. This does not include returning deputy officers and constables that are allowed to vote without providing this form according to Section 83(3) and 84 of the Act.

Repeal

24. Bylaw No. 07-003, a bylaw to adopt a modified voting procedure, is hereby rescinded.
25. Bylaw No. 07-004, a bylaw to require that all nominations be accompanied by a deposit, is hereby rescinded.
26. Bylaw No. 10-025, a bylaw to provide for institutional voting for municipal elections, is hereby rescinded.

Enactment

27. This bylaw shall come into effect upon passing of the third reading.

MOTION BY COUNCILLOR THOMPSON THAT BYLAW 17-013 BE GIVEN FIRST READING THIS 20TH DAY OF JUNE, 2017.

MOTION BY COUNCILLOR SIEBOLD THAT BYLAW 17-013 BE GIVEN SECOND READING THIS 20TH DAY OF JUNE, 2017.

MOTION BY COUNCILLOR HAYMOUR THAT BYLAW NO. 17-013 BE SUBMITTED FOR THIRD AND FINAL READING THIS 20TH DAY OF JUNE, 2017.

MOTION BY COUNCILLOR OLSON THAT BYLAW 17-013 BE GIVEN THIRD READING THIS 20TH DAY OF JUNE, 2017.

"Original Signed"

Mayor

"Original Signed"

Chief Administrative Officer